

in, and ability to effectively compete for, defense research and engineering activities.

(C) Recommendations relating to actions that may be taken by the Department of Defense, Congress, and minority institutions to establish the Consortium within 3 years.

(D) The specific goals, incentives, and metrics developed by the Secretary in subsection (c) to increase and measure the capacity of minority institutions to address the research and development needs of the Department.

(3) CONSULTATION.—In developing the plan under paragraph (1), the Secretary shall consult with such other public and private sector organizations as the Secretary considers appropriate.

(4) PUBLICLY AVAILABLE.—The Secretary shall post the Plan on a publicly available website of the Department.

(5) MINORITY INSTITUTION DEFINED.—In this subsection, the term “minority institution” means—

(A) a part B institution (as such term is defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)); or

(B) an accredited minority institution (as such term is defined in section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k)).

(b) ACTIVITIES TO SUPPORT RESEARCH AND ENGINEERING CAPACITY OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS OF HIGHER EDUCATION.—Subsection (c) of section 2362 of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4) Developing the capability, including workforce, administrative support, and research infrastructure (including physical), of covered educational institutions to more effectively compete for Federal research and engineering funding opportunities.”

(c) INCREASING INCENTIVES FOR NATIONAL SECURITY RESEARCH AND ENGINEERING ORGANIZATIONS TO COLLABORATE WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS OF HIGHER EDUCATION.—Subsection (d) of such section is amended—

(1) by striking “The Secretary of Defense may develop” and inserting “The Secretary of Defense shall—

“(1) develop”;

(2) in paragraph (1), as designated by paragraph (1), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(2) establish goals and incentives for each federally funded research and development center, science and technology reinvention laboratory, and university-affiliated research center funded by the Department of Defense to increase and measure the capacity of covered educational institutions to address the research and development needs of the Department through partnerships and collaborations.”

(d) INCREASING PARTNERSHIPS FOR MINORITY INSTITUTIONS WITH NATIONAL SECURITY RESEARCH AND ENGINEERING ORGANIZATIONS.—Such section is amended—

(1) by redesignating subsections (e) and (f) as (f) and (g) respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) PARTNERSHIPS.—The Secretary of Defense shall—

“(1) require the core capabilities of each university-affiliated research center to include partnerships with covered educational institutions;

“(2) require in each indefinite delivery indefinite quantity established or renewed

with a university-affiliated research center to establish or maintain a partnership with a specific covered educational institution or consortium of covered educational institutions for the purpose of capacity building at such covered educational institution or covered educational institutions;

“(3) require each university-affiliated research center to report annually on their subcontracts and other activities with covered educational institutions; and

“(4) post on a publicly available website of the Department a list of covered educational institutions and their defense research capabilities.”

(e) DEFINITION OF UNIVERSITY-AFFILIATED RESEARCH CENTERS.—Subsection (g) of such section, as redesignated by subsection (d)(1), is amended to read as follows:

“(f) DEFINITIONS.—In this section:

“(1) the term ‘covered educational institution’ means—

“(A) an institution of higher education eligible for assistance under title III or V of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.); or

“(B) an accredited postsecondary minority institution.

“(2) The term ‘university-affiliated research center’ means a research organization within an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

“(A) provides or maintains Department essential engineering, research, or development capabilities; and

“(B) receives sole source contract funding from the Department pursuant to section 2304(c)(3)(B) of this title.”

SEC. —. FUNDING FOR APPLIED AND ADVANCED TECHNOLOGY DEVELOPMENT AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.

(a) ADDITIONAL FUNDING.—

(1) APPLIED RESEARCH.—(A) The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$10,000,000, with the amount of the increase to be available for Advancement of S&T Priorities (PE 0602251D8Z).

(B) The amount available under subparagraph (A) shall be available for minority institutions.

(2) ADVANCED TECHNOLOGY DEVELOPMENT.—(A) The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$10,000,000, with the amount of the increase to be available for Advanced Research (PE 0603180C).

(B) The amount available under subparagraph (A) shall be available for minority institutions.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2022 by section 301 for operation and maintenance is hereby decreased by \$20,000,000, with the amount of the decrease to be taken from amounts available as specified in the funding table in section 4301 for the Afghanistan Security Forces Fund, Afghan Air Force Sustainment.

(c) MINORITY INSTITUTION DEFINED.—In this subsection, the term “minority institution” means—

(1) a part B institution (as such term is defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)); or

(2) an accredited minority institution (as such term is defined in section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k)).

SA 4822. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be

proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 853 and insert the following:

SEC. 853. DETERMINATION WITH RESPECT TO OPTICAL FIBER FOR DEPARTMENT OF DEFENSE PURPOSES.

(a) DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of the Cybersecurity and Infrastructure Security Agency, shall determine whether access, metro, and long-haul passive optical fiber and optical fiber cable that is manufactured or produced by an entity owned or controlled by the People's Republic of China pose an unacceptable risk to the national security of the United States or the security and safety of United States persons pursuant to section 2(b)(1) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601(b)(1)).

(2) APPLICABILITY.—If the Secretary of Commerce makes a determination that any such optical fiber or optical fiber cable would pose an unacceptable risk to the national security of the United States or the security and safety of United States persons, and the Commission makes the determination required under section 2(b)(2) of the Secure and Trusted Communications Networks Act (47 U.S.C. 1601(b)(2)), the inclusion of such optical fiber and optical fiber cable on the covered communications equipment and services list shall apply only to such optical fiber or optical fiber cable deployed after such determination.

(b) NOTIFICATION REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce shall notify the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Energy and Commerce of the House of Representatives of the findings of the review and determination required under subsection (a), publish the determination in the Federal Register, and submit that determination to the relevant Federal agencies, including the Department of Defense, the Cybersecurity and Infrastructure Security Agency, and the Federal Communications Commission.

(c) SAVINGS CLAUSE.—No determination made under section (a) shall impact the current filing and reimbursement process for the Secure and Trusted Communications Networks Reimbursement Program at the Federal Communications Commission.

(d) DEFINITIONS.—In this section:

(1) The term “access” means optical fiber and optical fiber cable that connects subscribers (residential and business) and radio sites to a service provider.

(2) The term “control” means the ability to determine the outcome of decision-making for a company through the strategic policy setting exercised by boards of directors or similar organizational governance bodies and the day-to-day management and administration of business operations as overseen by principals.

(3) The term “long haul” means optical fiber and optical fiber cable that connects cities and metropolitan areas.

(4) The term “metro” means optical fiber and optical fiber cable that connects city

business districts and central city and suburban areas.

(5) The term “passive” means unpowered optical fiber and optical fiber cable.

SA 4823. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 6505 and insert the following:

SEC. 6505. BRIEFING ON CONSULTATIONS WITH UNITED STATES ALLIES REGARDING NUCLEAR POSTURE REVIEW.

(a) IN GENERAL.—Not later than January 31, 2022, the Secretary of Defense, in coordination with the Secretary of State, shall brief the appropriate congressional committees on all consultations with United States allies and related matters regarding the 2021 Nuclear Posture Review.

(b) ELEMENTS.—The briefing required by subsection shall include the following:

(1) A listing of all countries consulted with respect to the 2021 Nuclear Posture Review, including the dates and circumstances of each such consultation and the countries present.

(2) An overview of the topics and concepts discussed with each such country during such consultations, including any discussion of potential changes to the nuclear declaratory policy of the United States.

(3) A summary of any feedback provided during such consultations.

(4) A description of the consultations conducted by the Department of Defense and the Department of State with experts outside such Departments and civil society organizations with respect to the 2021 Nuclear Posture Review.

(5) A listing of the consultants who participated in the 2021 Nuclear Posture Review in a formal or informal capacity.

(6) An identification of the options related to United States nuclear force structure and nuclear doctrine that were presented to the President by the Department of Defense.

SA 4824. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. ENSURING CONSIDERATION OF THE NATIONAL SECURITY IMPACTS OF URANIUM AS A CRITICAL MINERAL.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Energy, the Secretary of the Interior (acting through the Director of the United States Geological Survey), and the Secretary of Commerce, shall conduct an assessment of the effect on national security that may result from uranium ceasing to be designated

as a critical mineral by the Secretary of the Interior pursuant to section 7002(c) of the Energy Act of 2020 (division Z of Public Law 116-260; 30 U.S.C. 1606(c)).

(b) REPORT REQUIRED.—Not later than 180 days after enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the findings of the assessment conducted under subsection (a), including an assessment of—

(1) any effects the change in designation described in that subsection may have on domestic uranium production;

(2) any effects of the reliance of the United States on imports of uranium from foreign sources, including from state-owned entities, to supply fuel for commercial reactors;

(3) the effects of such reliance and other factors on the domestic production, conversion, fabrication, and enrichment of uranium as it relates to national security, including energy security purposes; and

(4) any effects on Federal national security programs, including existing and future uses of unobligated, United States-origin uranium.

(c) RECOMMENDATION ON URANIUM CRITICAL MINERAL DESIGNATION.—The report required by subsection (b) shall include a recommendation to the Secretary of the Interior regarding whether it is in the interest of the United States to consider uranium for future designation as a critical mineral pursuant to section 7002(c) of the Energy Act of 2020 (division Z of Public Law 116-260; 30 U.S.C. 1606(c)).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Natural Resources of the House of Representatives.

SA 4825. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. HA-LEU FOR ADVANCED NUCLEAR REACTORS.

Section 2001 of the Energy Act of 2020 (42 U.S.C. 16281) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (D)—

(I) in clause (v)(III), by adding “or” after the semicolon at the end;

(II) by striking clause (vi); and

(III) by redesignating clause (vii) as clause (vi); and

(ii) in subparagraph (E), by striking “for domestic commercial use” and inserting “to meet the needs of commercial, government, academic, and international entities”; and

(B) by redesignating paragraphs (6) and (7) as paragraphs (8) and (6), respectively, and moving the paragraphs so as to appear in numerical order;

(2) in subsection (b)(2)—

(A) by striking “subsection (a)(1)” each place it appears and inserting “subsection (b)(1)”; and

(B) in subparagraph (B)(viii), by striking “subsection (a)(2)(F)” and inserting “subsection (b)(2)(F)”; and

(C) in subparagraph (D)(vi), by striking “subsection (a)(2)(A)” and inserting “subsection (b)(2)(A)”; and

(3) in subsection (c)—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately; and

(B) in the matter preceding subparagraph (A) (as so redesignated)—

(i) by striking “There are” and inserting the following:

“(7) AUTHORIZATION OF APPROPRIATIONS.—There are”; and

(ii) by striking “in this section” and inserting “under this subsection”; and

(4) in subsection (d)—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2), (3), (5), (6), (7), and (8), respectively;

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) ADVANCED NUCLEAR REACTOR.—The term ‘advanced nuclear reactor’ has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).”; and

(C) by inserting after paragraph (3) (as so redesignated) the following:

“(4) DEPARTMENT.—The term ‘Department’ means the Department of Energy.”;

(5) by moving paragraph (7) of subsection (c) (as designated by paragraph (3)(B)(i)) so as to appear after paragraph (6) of subsection (a) (as redesignated by paragraph (1)(B));

(6) by striking subsection (c);

(7) by redesignating subsections (a), (b), and (d) as subsections (b), (g), and (a), respectively, and moving the subsections so as to appear in alphabetical order; and

(8) by inserting after subsection (b) (as so redesignated) the following:

“(c) HA-LEU FOR ADVANCED NUCLEAR REACTOR DEMONSTRATION PROJECTS.—

“(1) ACTIVITIES.—Not later than 30 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary shall initiate activities to make available HA-LEU, produced from inventories owned by the Department, for use by advanced nuclear reactors, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE-FOA-0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HA-LEU to be made available to members of the consortium established under subsection (b)(2)(F), as available.

“(2) OWNERSHIP.—HA-LEU made available under this subsection—

“(A) shall remain the property of, and title shall remain with, the Department; and

“(B) shall not be subject to the requirements of section 3112(d)(2) and 3113 of the USEC Privatization Act (42 U.S.C. 2297h-10(d)(2), 2297h-11).

“(3) QUANTITY.—In carrying out activities under this subsection, the Secretary, to the maximum extent practicable, shall make available—

“(A) by September 30, 2024, not less than 3 metric tons of HA-LEU; and

“(B) by December 31, 2025, not less than an additional 15 metric tons of HA-LEU.

“(4) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

“(A) options for providing HA-LEU from a stockpile of uranium owned by the Department (including the National Nuclear Security Administration), including—